

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
NE/S Kidds Schoolhouse Road, *
1400' SE of Beckleysville Road * DEPUTY ZONING COMMISSIONER
(2910 Kidds Schoolhouse Road) *
6th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *
David Lee Wallace, et ux * Case No. 95-232-A
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2910 Kidds Schoolhouse Road, located in the vicinity of the Pretty Boy Dam in Parkton. The Petition was filed by the owners of the property, David L. and Michelle B. Wallace. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) in the front yard in lieu of the required rear yard. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

As noted above, this matter originally came before the Zoning Commissioner as an Administrative Variance; however, upon receipt of a request for hearing from nearby property owners, Gerald and Libbie Gorleski, the matter was scheduled for a public hearing to determine the appropriateness of the relief sought.

Appearing at the public hearing on behalf of the Petition were David and Michelle Wallace, legal owners of the property. Appearing as a Protestant in the matter was Libbie Gorleski, the nearby property owner who requested the public hearing.

Testimony and evidence offered revealed that the subject property consists of 2.934 acres, zoned R.C. 4 and is improved with a single family

ORDER FOR DEPOSIT OF FILING
Date 3/1/95
By [Signature]

MICROFILMED

dwelling towards the front portion of the lot. The Petitioners are desirous of constructing a 24' x 24' garage in the front yard of their property towards the southeast side property line. Testimony indicated that the proposed garage will be situated at the end of the existing driveway, which runs across the front yard to the southeast side property line, so that the doors of the garage will face the driveway. The Petitioners testified that the proposed location for the garage is the most practical, given the topography of the land, and the well and septic systems thereon. Further testimony revealed that there is a natural spring which feeds into the Prettyboy Reservoir adjacent to this site and that strict compliance with the zoning regulations would require extensive excavating and grading which could adversely affect this spring.

Appearing and testifying in opposition to the relief requested was Libbie Gorleski, a nearby property owner who resides at 2915 Kidds Schoolhouse Road. Mrs. Gorleski was more concerned over the use of the garage rather than its location on the Petitioners' property. Mrs. Gorleski testified that on occasion, Mr. Wallace has worked on automobiles, both his own and others that were brought to the property. She testified that she has been forced to close her windows from time to time due to the noise generated by the automobile repair work taking place on the subject site. In addition, Mrs. Gorleski testified that she has experienced bad fumes emanating from the subject property by virtue of the service work being performed on automobiles.

Many of the concerns raised by Mrs. Gorleski will be addressed pursuant to the restrictions and conditions imposed at the end of this Order. Based upon the testimony and evidence provided me at the hearing, and given the site constraints associated with this lot, I believe the

3/1/95
[Signature]

4/10/95

proposed location for this garage to be the most appropriate and that the relief requested should be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the zoning regulations.

ORDER RECEIVED FOR FILING
Date 3/1/75
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 1, 1995

Mr. & Mrs. David L. Wallace
2910 Kidds Schoolhouse Road
Parkton, Maryland 21120

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NE/S Kidds Schoolhouse Road, 1400' SE of Beckleysville Road
(2910 Kidds Schoolhouse Road)
6th Election District - 3rd Councilmanic District
David Lee Wallace, et ux - Petitioners
Case No. 95-232-A

Dear Mr. & Mrs. Wallace:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mrs. Libbie Gorleski
2915 Kidds Schoolhouse Road, Parkton, Md. 21120

People's Counsel

File

MICROFILMED



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2910 KIDDS SCHOOLHOUSE RD

which is presently zoned RC4

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400.1 to permit an accessory structure (garage) in the front yard in lieu of the rear.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) We do not wish to disturb the forest buffer adjacent to the watershed property further. To place the garage in compliance with zoning regulations the rear foundation wall would have to be approximately 6' above grade and require a large amount of excavating and grading to prevent water run off from entering the structure. (continued on attached paper.)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s).

David Lee Wallace
(Type or Print Name)

David Lee Wallace
Signature

Michelle Beecher Wallace
(Type or Print Name)

Michelle Beecher Wallace
Signature
2910 Kidds Schoolhouse Rd.
(410) 357-4462
Address Phone No.

Parkton MD 21120
City State Zipcode
Name, Address and phone number of representative to be contacted

Name

Address Phone No

A Public Hearing having been requested and/or found to be required, It is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: MDK DATE: 1-4-95

ESTIMATED POSTING DATE: 1-15-95



Printed with Soybean Ink
on Recycled Paper

ITEM #: 231

ORDER RECEIVED FOR FILING

Date

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2910 KINGS SCHOOL HOUSE RD.
address

Packer MD. 21120
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

WE DO NOT WISH TO DISTURB THE FOREST BUFFER
ADJACENT TO THE WATERSHED PROPERTY FURTHER.
TO PLACE THE GARAGE IN COMPLIANCE WITH ZONING
REGULATIONS, THE REAR FOUNDATION WALL WOULD BE
APPROXIMATELY 6 FT. ABOVE GROUND AND REQUIRE
A LARGE AMOUNT OF EXCAVATING AND GRADING TO
PREVENT WATER RUNOFF FROM ENTERING THE STRUCTURE.
(CONTINUED ON ATTACHED PAPER)

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

David Lee Wallace
(signature)

DAVID LEE WALLACE
(type or print name)



Michelle Beecher Wallace
(signature)

Michelle Beecher Wallace
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of January, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DAVID LEE WALLACE AND Michelle Beecher Wallace

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

1-4-95
date

Joan M. Besket
NOTARY PUBLIC

My Commission Expires:

My Commission Expires November 1, 1995

Said grading would create erosion and run off which would contaminate spring located at the bottom of the lot. Th

The area in which we would like to place the garage is obstructed by trees and not clearly visible from the road. All set backs from the property line will be observed with exception to the relation of placement with the house. We can not place the garage on other side of the house because of restrictions in regards to septic system.

EXAMPLE 3 - Zoning Description

(3 copies)

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 2910 KIDDS SCHOOL HOUSE RD.
(address)

Beginning at a point on the Northeast ~~WEST~~ ~~UNKNOWN~~ side of KIDDS
(north, south, east or west) (name of)
SCHOOL HOUSE RD. which is UNKNOWN R/W lanes
street on which property fronts) (number of feet of right-of-way width)
wide at the distance of 1408 ft ~~UNKNOWN~~ southeast of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street Beckleysville
UNKNOWN ROAD (name of street)
which is UNKNOWN R/W lanes wide. *Being Lot # N/A.
(number of feet of right-of-way width)
Block N/A, Section # N/A in the subdivision of N/A
(name of subdivision)
as recorded in Baltimore County Plat Book # —, Folio # —, containing
2.934 acres. Also known as 2910 KIDDS SCHOOLHOUSE RD
(square feet or acres) (property address)
and located in the 6 Election District, 3 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber 1052 Folio 192" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-232-A

District 6th Date of Posting 1/13/95
Posted for: Adm. Varinco
Petitioner: David & Michelle Wallace
Location of property: 210 Kidd Schoolhouse Rd., NE/S
Location of Signs: Facing road way on property being zoned
Remarks: (No P/S used)
Posted by M. Stealy Date of return: 1/20/95
Signature
Number of Signs: 1



93-232-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 6th Date of Posting 2/6/95

Posted for: Variance

Petitioner: David L. + Michelle Wallace

Location of property: 7910 Kidds Schoolhouse Rd., NE/5

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by M. Stealy Date of return: 2/6/95
Signature

Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-232-A

(Item 231)

2910 Kidds Schoolhouse Road

NE/S Kidds Schoolhouse Road, 1400' SE of c/l Beckleysville Road

6th Election District

3rd Councilmanic

Legal Owner(s):

David Lee Wallace and

Michelle Beecher Wallace

Hearing: Wednesday,

February 22, 1995 at

11:00 a.m. in Rm. 118, Old

Courthouse.

Variance to permit an accessory structure (garage) in the front yard in lieu of the rear.

LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing; Please Call 887-3391.

2/035 February 2.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Feb. 3, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Feb. 2, 1995.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

~~Publishing~~



Baltimore County
Zoning Administration &
Development Management
711 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150

Number

Date 1-4-95

Item Number: 2231

Taken In By: JEDIC

Wallace, David — 2910 Kidds Schoolhouse
Rel

010 - Zoning Variance — \$50.00

080 - 1 sign posting — \$35.00

Total — \$85.00

CK #478

RECEIVED

03/03/95 2:01 PM

Please Make Checks Payable To: Baltimore County

00.00

Cashier Validation

REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number:

95-232-A

Petitioner(s):

Wallace

Location:

2910 Kidds Schoolhouse Rd

I/WE,

Name(s)

(TYPE OR PRINT)

Libby & Gerald Horleski

() Legal Owners () Residents, of

Address

2915 Kidds Schoolhouse Rd

City/State/Zip Code

Phone

329-6367

which is located approximately across the road feet from the property which is the subject of the above petition, do hereby formally request that a public hearing be set in this matter.

Signature

Date

Signature

Date

Gerald Horleski

1/23/95

Libby Horleski

1/23/95

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 152983

DATE Jan 25, 1995 ACCOUNT R-001-6150

AMOUNT \$ 40 -

RECEIVED FROM: Gorleski

FOR: Request Feeing - 95-232-A

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

#231

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 231

Petitioner: David Lee Wallace

Location: 2910 Kidds Schoolhouse Lane

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DAVID LEE WALLACE

ADDRESS: 2910 KIDDS SCHOOLHOUSE LANE

PYRETON MD. 2120

PHONE NUMBER: (410) 357-4462

AJ:ggs

MICROFILMED

(Revised 04/09/93)



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 10, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-232-A (Item 231)
2910 Kidds Schoolhouse Road
NE/S Kidds Schoolhouse Road, 1400' SE of c/l Beckleysville Road
6th Election District - 3rd Councilmanic
Legal Owner(s): David Lee Wallace and Michelle Beecher Wallace

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before January 15, 1995. The closing date (January 30, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: David and Michelle Wallace



TO: PUTUXENT PUBLISHING COMPANY
February 1, 1995 Issue - Jeffersonian

Please forward billing to:

David Lee Wallace
2910 Kidds Schoolhouse Road
Parkton, Maryland 21120
410-357-4462

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-232-A (Item 231)
2910 Kidds Schoolhouse Road
NE/S Kidds Schoolhouse Road, 1400' SE of c/l Beckleysville Road
6th Election District - 3rd Councilmanic
Legal Owner(s): David Lee Wallace and Michelle Beecher Wallace
HEARING: WEDNESDAY, FEBRUARY 22, 1995 at 11:00 a.m. in Room 118, Old Courthouse

Variance to permit an accessory structure (garage) in the front yard in lieu of the rear.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JANUARY 26, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-232-A (Item 231)

2910 Kidds Schoolhouse Road

NE/S Kidds Schoolhouse Road, 1400' SE of c/l Beckleysville Road

6th Election District - 3rd Councilmanic

Legal Owner(s): David Lee Wallace and Michelle Beecher Wallace

HEARING: WEDNESDAY, FEBRUARY 22, 1995 at 11:00 a.m. in Room 118, Old Courthouse

Variance to permit an accessory structure (garage) in the front yard in lieu of the rear.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: David and Michelle Wallace, 2910 Kidds School House Road, Parkton 21120
Libbie and Gerald Gorleski, 2915 Kidds Schoolhouse Road, Parkton 21120

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 23, 1995

Mr. and Mrs. David Lee Wallace
2910 Kidds Schoolhouse Road
Parkton, Maryland 21120

RE: Item No.: 231
Case No.: 95-232A
Petitioner: David Wallace, et ux.

Dear Mr. and Mrs. Wallace:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on January 15, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over the word "Sincerely,".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

1-13-95

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204
ATTN: MS. JOYCE WATSON
Dear Ms. Winiarski:

Re: Baltimore County
Item No.: *231 (MJK)

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202


MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: January 12, 1995

FROM: Pat Keller, Director 
Office of Planning and Zoning

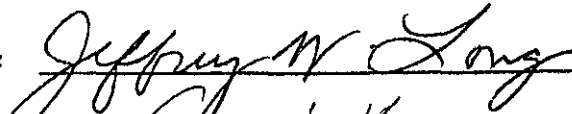
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 226, 227, 231, 233, and 236

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:



Division Chief:



PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: January 23, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for January 23, 1995
Items 225, 226, 227, 229, 230, (231), 232, 233,
234, and 236

The Developers Engineering Section has reviewed
the subject zoning item and we have (no) comments.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 01/12/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 17, 1995

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 223, 226, 227, 228,
231, 232 AND 233.

RECEIVED
JAN 17 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERNAID
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Libbie GORLESKI

2915 Kidds Schoolhouse Rd.
PARKTON, Md. 21120



10-1-1983

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

David & Michelle Wallace

2910 Kidds Schoolhouse Rd
Parkton MD 21120

MICROFILMED

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 2910 KEDDS SCHOOL HOUSE RD.

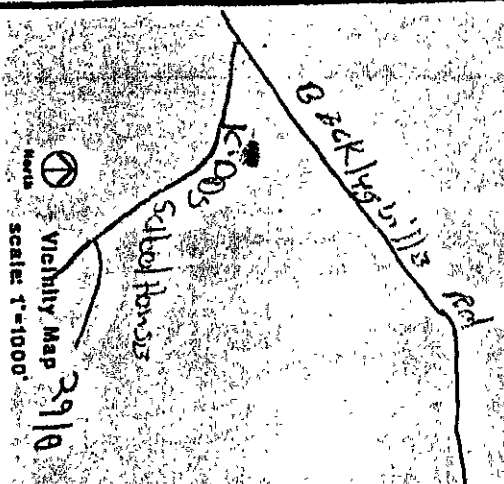
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: N/A

Plat book# 192, lot# 1, section# 1

* lot not in a recorded subdivision

OWNER: DAVID & MICHELLE WALLACE



LOCATION INFORMATION

Election District: 6
Councilmanic District: 3

1"=200' scale map: NW 33-6

Zoning: RC4
Lot size: 2.934 127,805 square feet

SEWER: ☐ public ☒ private
WATER: ☐ public ☒ private

Chesapeake Bay Critical Area:
Prior Zoning Hearings: none

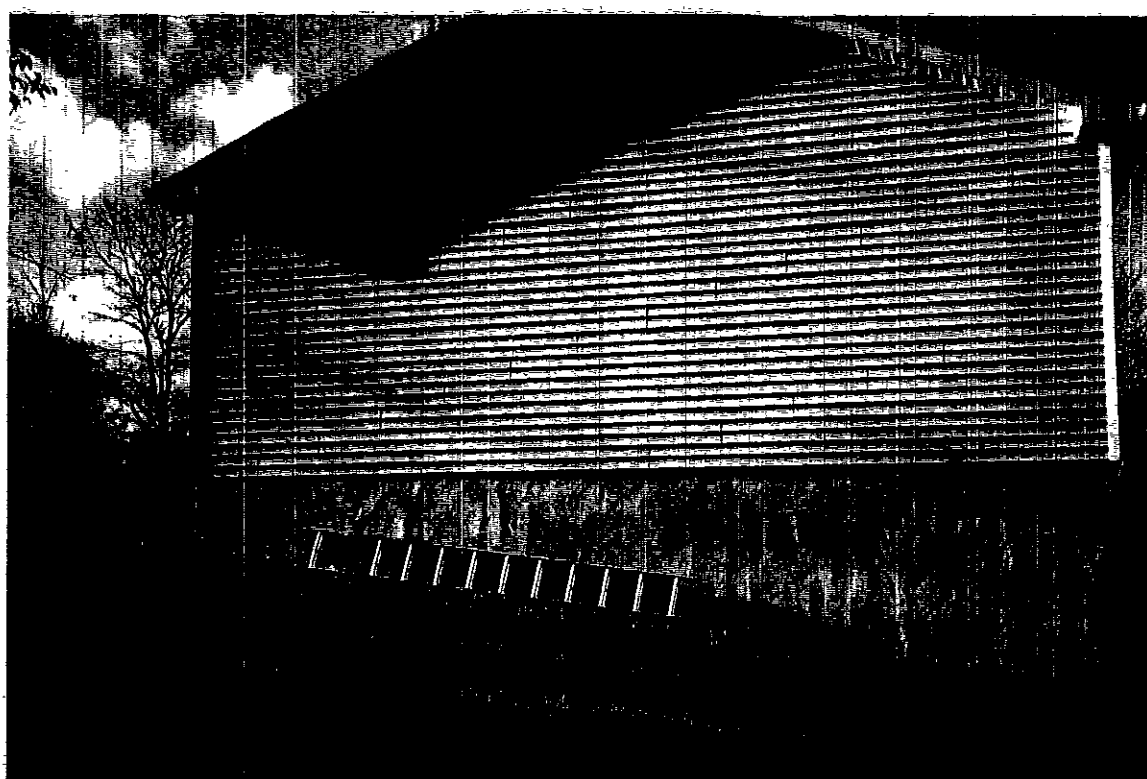
Zoning Office USE ONLY!

reviewed by: MMK ITEM #: 231 CASE#:



North

date: DAVID WALLACE Scale of Drawing: 1"=100'

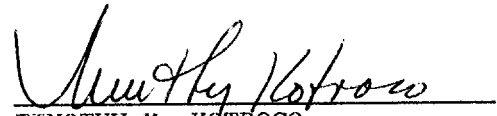




Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 1st day of March, 1995 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (24' x 24' garage) in the front yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) There shall be no commercial use of the subject garage and no automotive service work performed on the premises.
- 4) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

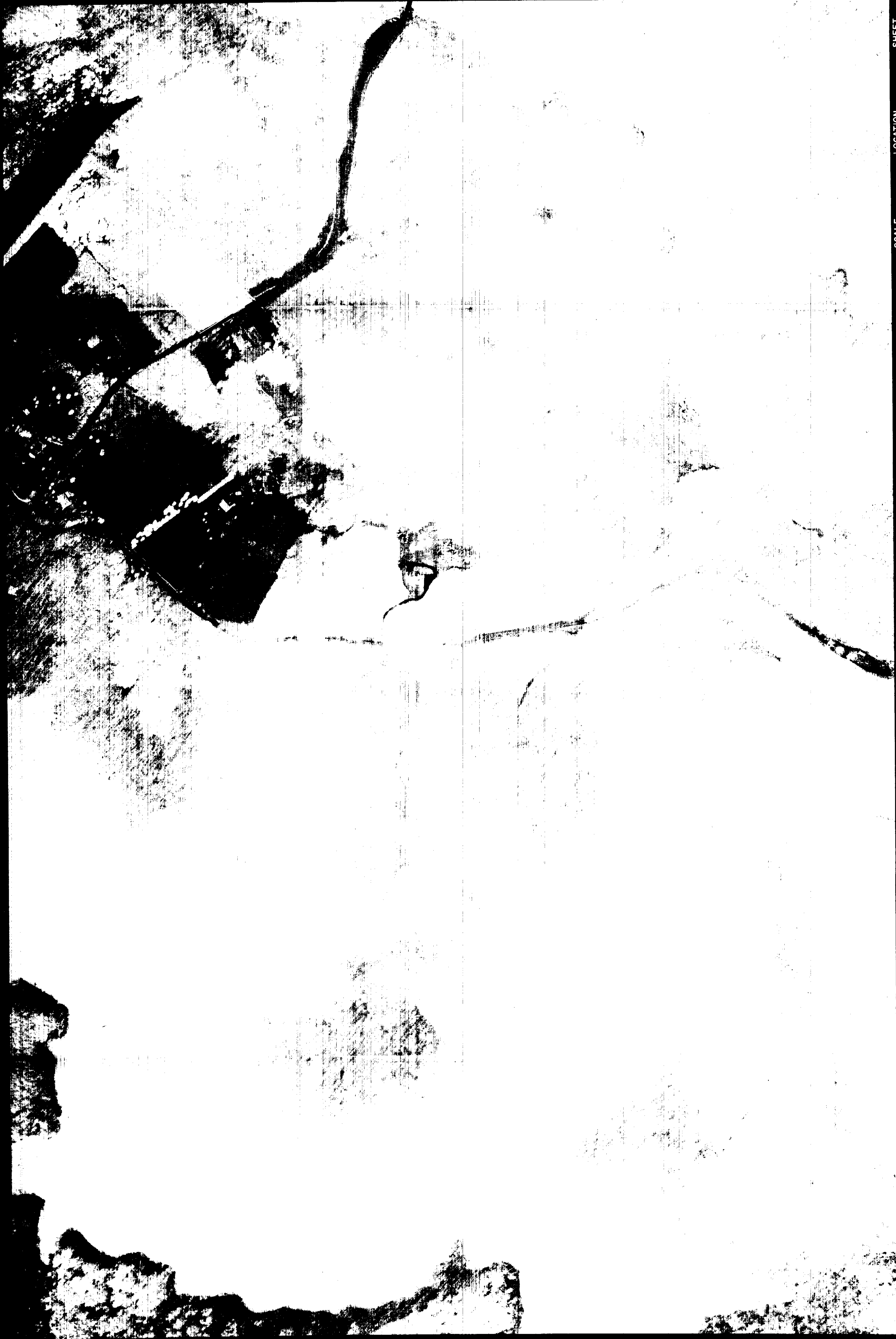

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

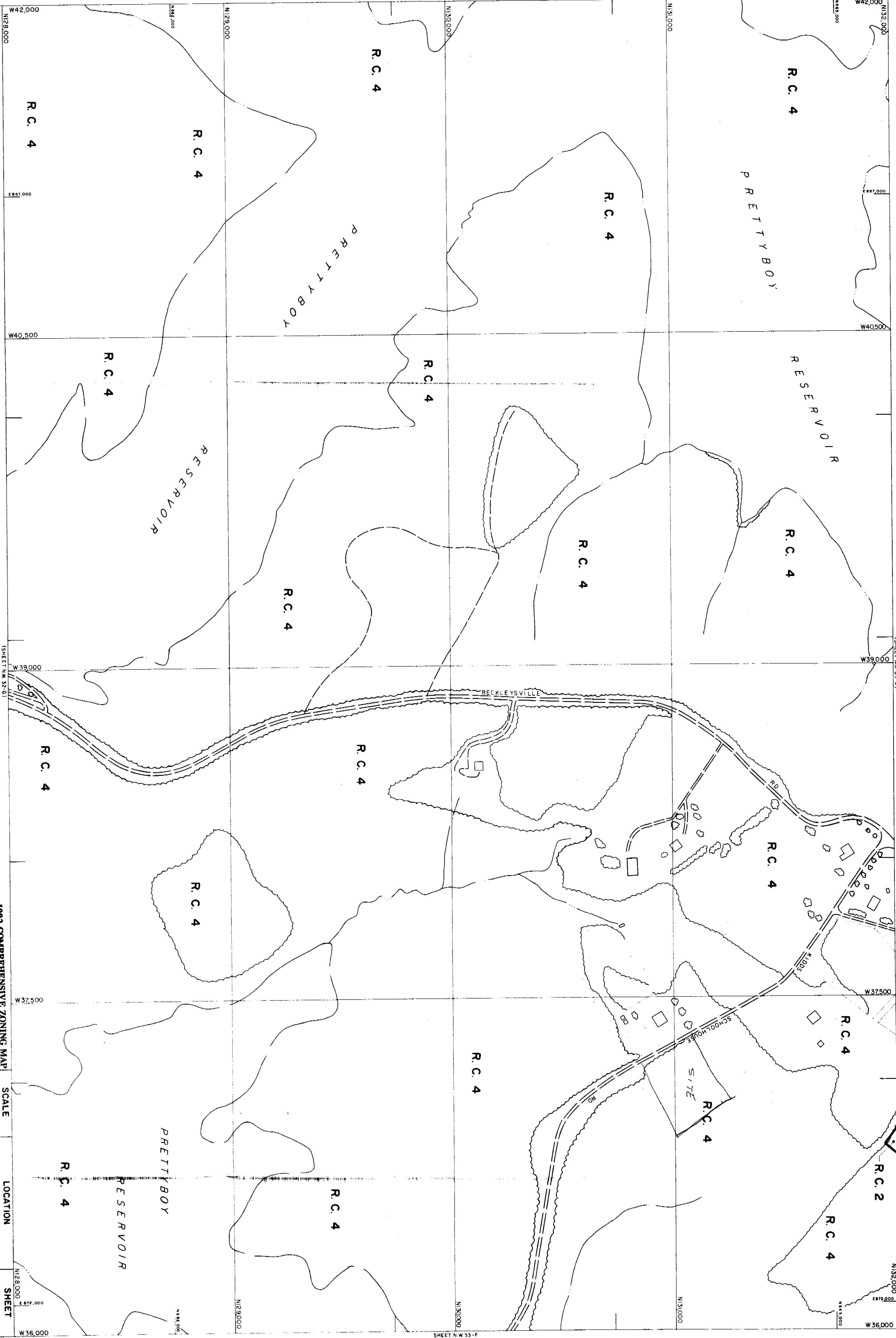
Date 3/1/95

By [Signature]



SCALE 1" = 200' ±
DATE OF PHOTOGRAPHY JANUARY 1986
LOCATION PRETTYBOY DAM AREA
SHEET #231 MICROFILMED N.W. 33-G

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP



J J - SE
J J - NE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1986 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1986
BHM Nos. 144-86, 145-86, 146-86, 147-86, 148-86, 149-86, 150-86

John J. Howard
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
BHM Nos. 80-92, 81-92, 82-92, 83-92, 84-92, 85-92, 86-92, 87-92, 88-92, 89-92, 90-92

John J. Howard
Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200' ±	Prettyboy DAM AREA	N.W. 33-G
DATE OF PHOTOGRAPHY JANUARY 1986		

MICROFILMED
231

IN RE: PETITION FOR ADMIN. VARIANCE
NE/S Kidds Schoolhouse Road,
1400' SE of Beckleysville Road
(2910 Kidds Schoolhouse Road)
6th Election District
3rd Councilmanic District
David Lee Wallace, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-232-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2910 Kidds Schoolhouse Road, located in the vicinity of the Pretty Boy Dam in Parkton. The Petition was filed by the owners of the property, David L. and Michelle B. Wallace. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) in the front yard in lieu of the required rear yard. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

As noted above, this matter originally came before the Zoning Commissioner as an Administrative Variance; however, upon receipt of a request for hearing from nearby property owners, Gerald and Libbie Gorleski, the matter was scheduled for a public hearing to determine the appropriateness of the relief sought.

Appearing at the public hearing on behalf of the Petition were David and Michelle Wallace, legal owners of the property. Appearing as a Protestant in the matter was Libbie Gorleski, the nearby property owner who requested the public hearing.

Testimony and evidence offered revealed that the subject property consists of 2.934 acres, zoned R.C. 4 and is improved with a single family

dwelling towards the front portion of the lot. The Petitioners are desirous of constructing a 24' x 24' garage in the front yard of their property towards the southeast side property line. Testimony indicated that the proposed garage will be situated at the end of the existing driveway, which runs across the front yard to the southeast side property line, so that the doors of the garage will face the driveway. The Petitioners testified that the proposed location for the garage is the most practical, given the topography of the land, and the well and septic systems thereon. Further testimony revealed that there is a natural spring which feeds into the Prettyboy Reservoir adjacent to this site and that strict compliance with the zoning regulations would require extensive excavating and grading which could adversely affect this spring.

Appearing and testifying in opposition to the relief requested was Libbie Gorleski, a nearby property owner who resides at 2915 Kidds Schoolhouse Road. Mrs. Gorleski was more concerned over the use of the garage rather than its location on the Petitioners' property. Mrs. Gorleski testified that on occasion, Mr. Wallace has worked on automobiles, both his own and others that were brought to the property. She testified that she has been forced to close her windows from time to time due to the noise generated by the automobile repair work taking place on the subject site. In addition, Mrs. Gorleski testified that she has experienced bad fumes emanating from the subject property by virtue of the service work being performed on automobiles.

Many of the concerns raised by Mrs. Gorleski will be addressed pursuant to the restrictions and conditions imposed at the end of this Order. Based upon the testimony and evidence provided me at the hearing, and given the site constraints associated with this lot, I believe the

proposed location for this garage to be the most appropriate and that the relief requested should be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the zoning regulations.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 1st day of March, 1995 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (24' x 24' garage) in the front yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) There shall be no commercial use of the subject garage and no automotive service work performed on the premises.
- 4) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 1, 1995

Mr. & Mrs. David L. Wallace
2910 Kidds Schoolhouse Road
Parkton, Maryland 21120

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NE/S Kidds Schoolhouse Road, 1400' SE of Beckleysville Road
(2910 Kidds Schoolhouse Road)
6th Election District - 3rd Councilmanic District
David Lee Wallace, et ux - Petitioners
Case No. 95-232-A

Dear Mr. & Mrs. Wallace:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mrs. Libbie Gorleski
2915 Kidds Schoolhouse Road, Parkton, Md. 21120

People's Counsel
File



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 2910 KIDDS SCHOOLHOUSE RD which is presently zoned RC4

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 to permit an accessory structure (garage) in the front yard in lieu of the rear.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty. We do not wish to disturb the forest buffer adjacent to the watershed property further. To place the garage in compliance with zoning regulations the rear foundation wall would have to be approximately 6' above grade and require a large amount of excavating and grading to prevent water run off from entering the structure. (continued on attached paper.) Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertisement, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

Type or Print Name

Signature

Address

City State Zipcode

Attorney for Petitioner

Type or Print Name

Signature

Address

City State Zipcode

A Public Hearing having been requested and/or based to be requested, it is ordered by the Zoning Commissioner of Baltimore County, this 1st day of March, 1995, that the subject matter of this petition be set for a public hearing, advertised as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

Reviewed by TMK Date 1-4-95

Estimated Posting Date 1-15-95

Zoning Commissioner of Baltimore County

Printed with Recycled Ink on Recycled Paper

ITEM # 231

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does do presently reside at 2910 KIDDS SCHOOLHOUSE RD
City Parkton State MD Zip Code 21120

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty.)

WE DO NOT WISH TO DISTURB THE FOREST BUFFER ADJACENT TO THE WATERSHED PROPERTY FURTHER. TO PLACE THE GARAGE IN COMPLIANCE WITH ZONING REGULATIONS, THE REAR FOUNDATION WALL WOULD BE APPROXIMATELY 6' ABOVE GRADE AND REQUIRE A LARGE AMOUNT OF EXCAVATING AND GRADING TO PREVENT WATER RUN OFF FROM ENTERING THE STRUCTURE. (CONTINUED ON ATTACHED PAGE.)

That Affiant(s) acknowledge(s) that if a process is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

David Lee Wallace Michelle Beecher Wallace
David Lee Wallace Michelle Beecher Wallace
Type or Print Name Type or Print Name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to me

I HEREBY CERTIFY, this 4th day of JANUARY, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DAVID LEE WALLACE AND Michelle Beecher Wallace

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of their/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

1-4-95

Joan M. Bisset
Notary Public

My Commission Expires

My Commission Expires November 1, 1995

Said grading would create erosion and run off which would contaminate spring located at the bottom of the lot. Th
The area in which we would like to place the garage is obstructed by trees and not clearly visible from the road. All set backs from the property line will be observed with exception to the relation of placement with the house. We can not place the garage on either side of the house because of restrictions in regards to septic system.

EXAMPLE 3 - Zoning Description

(3 copies)

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 2910 KIDDS SCHOOL HOUSE RD.
(address)

Beginning at a point on the Northeast side of KIDDS (name of street)
(north, south, east or west)

SCHOOL HOUSE RD. which is ANNAHAN R/W LINES (number of feet of right-of-way width)
street on which property fronts)

wide at the distance of 1408 ft. thence southeast of the (number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Backleysville (name of street)

which is ANNAHAN R/W LINES wide. *Being Lot # N/A. (number of feet of right-of-way width)

Block N/A, Section # N/A in the subdivision of N/A (name of subdivision)

as recorded in Baltimore County Plat Book # 2, Folio # 2, containing 2.934 acres. Also known as 2910 KIDDS SCHOOLHOUSE RD. (square feet or acres) (property address)

and located in the 6 Election District, 3 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber 259 Folio 257 and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 27' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

CK/RESID (TXTSOPI)
REVISED 5/16/94

10

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 6th Date of Posting: 1/13/95

Posted for: David Lee Wallace

Petitioner: David L. & Michelle Wallace

Location of property: 2910 KIDDS SCHOOLHOUSE RD., NE/4

Location of Signs: Property and sign on property being zoned

Remarks: (No Pds used)

Posted by: [Signature] Date of return: 1/22/95

Number of Signs: 1

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 6th Date of Posting: 2/14/95

Posted for: Wallace

Petitioner: David L. & Michelle Wallace

Location of property: 2910 KIDDS SCHOOLHOUSE RD., NE/4

Location of Signs: Property and sign on property being zoned

Remarks:

Posted by: [Signature] Date of return: 2/14/95

Number of Signs: 1

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed zoning change on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on the date and at the time specified below.

Case #95-232-A
Item 231
2910 KIDDS SCHOOLHOUSE RD.
NE/4 Schoolhouse Road
6th Election District
3rd Councilmanic District
Legal Owner(s): David Lee Wallace and Michelle Beecher Wallace
Hearing: Wednesday, February 22, 1995 at 11:00 a.m. in Room 118, Old Courthouse

Variance to permit an accessory structure (garage) in the front yard in line of the rear.

NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3353.
2/23/95

CERTIFICATE OF PUBLICATION

TOWSON, MD., Feb. 3, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Feb. 2, 1995.

THE JEFFERSONIAN,
A. Hensel
LEGAL AD. - TOWSON

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date: 1-4-95

Wallace, David - 2910 KIDDS SCHOOLHOUSE RD.

CIO - Zoning Variance - \$50.00
CBO - 1 sign p.d.g. - \$35.00
Total - \$85.00 OK #478

Please Make Checks Payable To: Baltimore County
33403#3276M1CHRC
134M01-04-95 \$85.00

TO: IMPRINT PUBLISHING COMPANY
February 1, 1995 Lane - Jeffersonian

Please forward billing to:
David Lee Wallace
2910 KIDDS SCHOOLHOUSE ROAD
PARKTON, MARYLAND 21204
410-357-4462

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on the date and at the time specified below:

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 95-232-A (Item 231)
2910 KIDDS SCHOOLHOUSE ROAD
NE/4 Schoolhouse Road, 1400' SE of c/l Backleysville Road
6th Election District - 3rd Councilmanic
Legal Owner(s): David Lee Wallace and Michelle Beecher Wallace
Hearing: Wednesday, February 22, 1995 at 11:00 a.m. in Room 118, Old Courthouse

Variance to permit an accessory structure (garage) in the front yard in line of the rear.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.

REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY,
Re: Case Number: 95-232-A
Petitioner(s): Wallace
Location: 2910 KIDDS SCHOOLHOUSE RD.

I/We, David Lee Wallace (Name) (Type or Print)
(Legal Owner(s) / Residents, of)
2910 KIDDS SCHOOLHOUSE RD. Address
City/State/Zip Code 329-6367 Phone

which is located approximately South feet from the property which is the subject of the above petition, do hereby formally request that a public hearing be set in this matter.

Signature David Lee Wallace Date 1/23/95
Signature Michelle Wallace Date 1/23/95

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Jan 25, 1995 ACCOUNT R-001-6150

AMOUNT \$ 40 -

RECEIVED FROM Gorleski

FOR Request Hearing - 95-232-A

VALIDATION OR SIGNATURE OF CASHIER
DATE 1/25/95 TIME 1:00 PM YELLOW STAMP

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Carl Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 231

Petitioner: David Lee Wallace

Location: 2910 KIDDS SCHOOLHOUSE RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DAVID LEE WALLACE

ADDRESS: 2910 KIDDS SCHOOLHOUSE RD.
PARKTON, MD. 21204

PHONE NUMBER: (410) 357-4462

AJ:ggs

(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-232-A (Item 231)
2910 KIDDS SCHOOLHOUSE ROAD
NE/4 Schoolhouse Road, 1400' SE of c/l Backleysville Road
6th Election District - 3rd Councilmanic
Legal Owner(s): David Lee Wallace and Michelle Beecher Wallace

*Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-3353. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before January 15, 1995. The closing date (January 30, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Carl Jablon
ARNOLD JABLON
Director

cc: David and Michelle Wallace

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

JANUARY 26, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on the date and at the time specified below:

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 95-232-A (Item 231)
2910 KIDDS SCHOOLHOUSE ROAD
NE/4 Schoolhouse Road, 1400' SE of c/l Backleysville Road
6th Election District - 3rd Councilmanic
Legal Owner(s): David Lee Wallace and Michelle Beecher Wallace
Hearing: Wednesday, February 22, 1995 at 11:00 a.m. in Room 118, Old Courthouse

Variance to permit an accessory structure (garage) in the front yard in line of the rear.

Carl Jablon
ARNOLD JABLON
Director

cc: David and Michelle Wallace, 2910 KIDDS SCHOOLHOUSE ROAD, PARKTON 21204
Libbie and Gerald Gorleski, 2915 KIDDS SCHOOLHOUSE ROAD, PARKTON 21204

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 23, 1995

Mr. and Mrs. David Lee Wallace
2910 Kidds Schoolhouse Road
Parkton, Maryland 21120

RE: Item No.: 231
Case No.: 95-232A
Petitioner: David Wallace, et ux.

Dear Mr. and Mrs. Wallace:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on January 15, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204
ATTN: MS. JOYCE WATSON
Dear Ms. Winiarski:

Re: Baltimore County
Item No.: * 231 (MTK)

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: January 12, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 226, 227, 231, 233, and 236

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3490.

Prepared by: *Jeffrey W. Long*
Division Chief: *Cheryl Kenna*

PK/JL

ITEM226/PZONE/TXELJWL

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for January 23, 1995
Items 226, 227, 229, 230, 231, 232, 233,
234, and 236

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:sw

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS
David & Michelle Wallace *2910 Kidds Schoolhouse Rd*
Parkton MD 21120

PLEASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET

NAME ADDRESS
Libbie Gorleski *2915 Kidds Schoolhouse Rd.*
PARKTON, Md. 21120

photograph
in case
45-232-A

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 01/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 17, 1995

Item No.: SEE BELOW Zoning Agenda:

Contingent:

Pursuant to your request, the referenced property has been surveyed by Miss Burns and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time.
REFERENCE TO THE FOLLOWING ITEM NUMBERS: 223, 226, 227, 229, 231, 232 AND 233.

RECEIVED
JAN 14 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERHOLD
Fire Marshal Office, PHONE 887-4661, MS-1102F

cc: File

Printed on Recycled Paper

Plan to accompany Petition for Zoning ☒ Variance ☒ Special Hearing

PROPERTY ADDRESS: *2910 E. 105 Schoolhouse Rd.*

Subdivision name: *N/A*

OWNER: *David & Michelle Wallace*

Scale: 1" = 100'

DATE: *1/11/95*

PREPARED BY: *David Wallace*

Scale of Drawing: 1" = 100'

LOCATION INFORMATION

Engine District: *6*

Comprehensive District: *3*

Code: *RCU*

Area: *2,934.127,800*

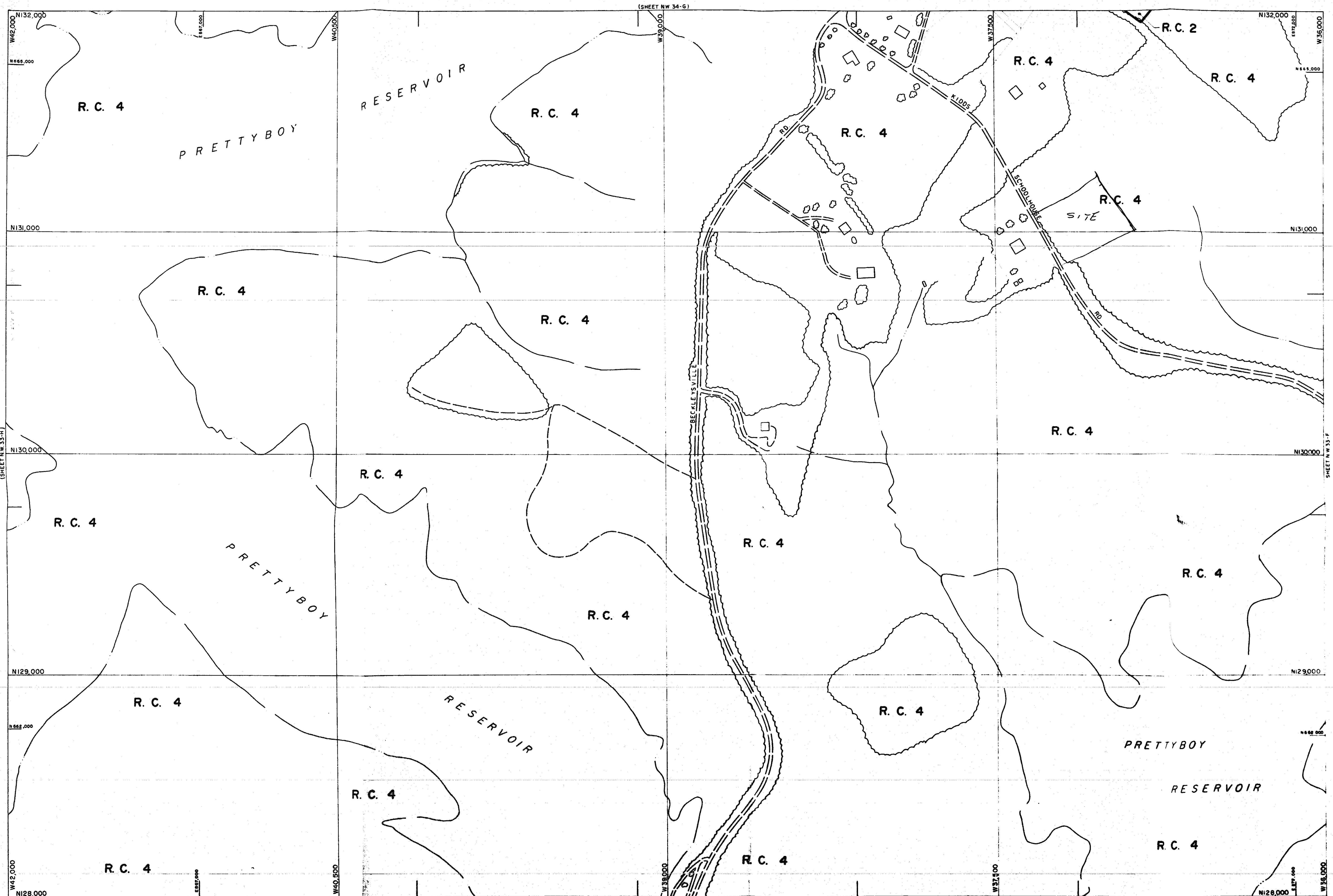
Address: *2910 E. 105 Schoolhouse Rd.*

Classifications: ☐ Critical Area ☐ Flood Hazard ☐ Historic District ☐ Other

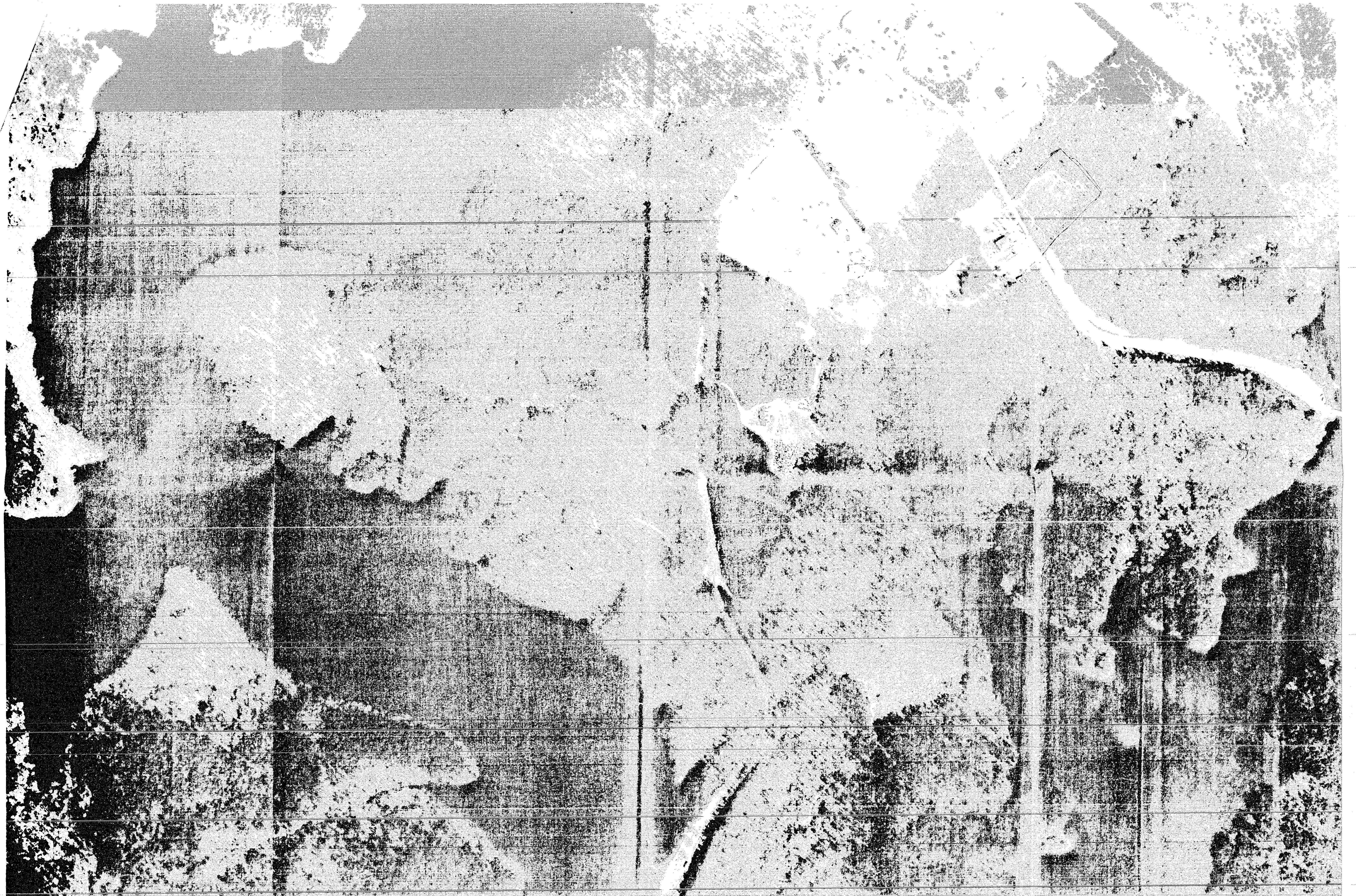
Zoning Office USE ONLY

Reviewed by: *PK*

Date: *1/11/95*



<p>J J - SE J J - NE</p> <p>THIS MAP HAS BEEN REVISED IN SELECTED AREAS. TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21210</p>	<p>1988 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 13, 1988 Bm Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88</p> <p><i>Dale J. [Signature]</i> Chairman, County Council</p>	<p>BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP</p>	<p>1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992 Bm Nos. 103-92, 104-92, 105-92, 106-92, 107-92, 108-92, 109-92</p> <p><i>William D. Howard IV</i> Chairman, County Council</p>	<p>SCALE 1" = 200' ±</p> <p>DATE OF PHOTOGRAPHY JANUARY 1986</p>	<p>LOCATION PRETTYBOY DAM AREA</p>	<p>SHEET NW 33-6</p>
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BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
PRETTYBOY
DAM AREA

SHEET
#231
N.W.
33-G